

J 1/21/04

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George A. O'Toole et al. Art Unit : 1645  
Serial No. : 09/673,605 Examiner : V. Ford  
Filed : December 31, 2001  
Title : REGULATION OF BIOFILM FORMATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBMISSION OF COPY OF DECEMBER 20, 2000 PRELIMINARY AMENDMENT

As discussed with Examiner Ford, enclosed is a copy of the December 20, 2000 Preliminary Amendment and a copy of a postcard stamped by the USPTO verifying that the Preliminary Amendment and a check for \$332.00 was received on December 27, 2000.

Applicants request that the October 2, 2003 Restriction Requirement, which did not take into account the claims in the December 20, 2000 Preliminary Amendment, be withdrawn and a new Restriction Requirement be issued.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 6 JAN 2004

Anita L. Meiklejohn, Ph.D.  
Reg. No. 35,283

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20780874.doc

## CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

January 6, 2004  
Date of Transmission

Carrie A. Amonte  
Signature

Carrie A. Amonte  
Typed or Printed Name of Person Signing Certificate

01/23/2004 6DUCKETT 00000005 061050 09673605

01 FC:2201 43.00 DA  
02 FC:2202 108.00 DA